



STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
P. O. Box 339
Honolulu, Hawaii 96809-0339

April 1, 2019

TO: The Honorable Representative Chris Lee, Chair
House Committee on Public Safety

FROM: Pankaj Bhanot, Director

SUBJECT: **HCR 205 – REQUESTING THE DEPARTMENT OF HUMAN SERVICES, IN CONSULTATION WITH THE DEPARTMENT OF PUBLIC SAFETY, TO WORK WITH THE FAMILY REUNIFICATION WORKING GROUP AND OTHER COMMUNITY STAKEHOLDERS TO DEVELOP A PLAN TO ESTABLISH VISITATION CENTERS AT ALL STATE CORRECTIONAL FACILITIES AND JAILS.**

Hearing: April 3, 2019, 2:00 p.m.
Conference Room 325, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) appreciates the intent of the resolution to support appropriate child-parent relationships of children of incarcerated parents, and provides comments. DHS defers to the Department of Public Safety (DPS) with the authority over correctional facilities and programs, including any planning and resource needs necessary to implement.

PURPOSE: The purpose of this resolution is to require the development of a plan for visitation centers for children of incarcerated parents at all state operated correctional facilities.

DHS is open to further discussions and collaboration with the Department of Public Safety (DPS), the Family Reunification Working Group, and other stakeholders to develop a plan to develop visitation centers at the state's correction facilities.

DPS has already established programs to promote parenting skills and other child-bonding activities such as Keiki O Ka Aina's Play and Learn, Read Aloud, Read-to-me, Keala Hou,

Family Days, etc. Assessment, planning, collaboration and recommendation for the development of this effort will require new staff resources and funding. New ongoing funding will also be required to implement and sustain a statewide DPS visitation program at all facilities, based on the recommendations.

Thank you for the opportunity to testify.



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY
919 Ala Moana Boulevard, 4th Floor
Honolulu, Hawaii 96814

NOLAN P. ESPINDA
DIRECTOR

Maria C. Cook
Deputy Director
Administration

Jodie F. Maesaka-Hirata
Deputy Director
Corrections

Renee R. Sonobe Hong
Deputy Director
Law Enforcement

No. _____

TESTIMONY ON HOUSE CONCURRENT RESOLUTION 205
REQUESTING THE DEPARTMENT OF HUMAN SERVICES, IN
CONSULTATION WITH THE DEPARTMENT OF PUBLIC SAFETY, TO WORK
WITH THE FAMILY REUNIFICATION GROUP AND OTHER COMMUNITY
STAKEHOLDERS TO DEVELOP A PLAN TO ESTABLISH VISITATION
CENTERS AT ALL STATE CORRECTIONAL FACILITIES AND JAILS.

Presented by Nolan P. Espinda
Director, Department of Public Safety
to the
House Committee on Judiciary
Representative Chris Lee, Chair
Representative Joy A. San Buenaventura, Vice Chair

Wednesday, April 3, 2019; 2:00 p.m.
State Capitol, Conference Room 325

Chair Lee, Vice Chair San Buenaventura, and Members of the Committee:

The Department of Public Safety (PSD) supports the intent of HCR 205, which aim to have established, at all State correctional facilities and jails, family-oriented visitation centers.

PSD appreciates the support of the Department of Human Services (DHS) in being open to further discussion and collaboration and in providing the comment that such planning and collaboration will require increased staffing and resources.

The Department also notes that because the parents are offenders, visitation centers must be safe and secure, while providing a caring and nurturing environment for all participants. Ideally, PSD would invite discussion for such visitation centers to be located at minimum security correctional facilities and include wrap-around support services for the children, incarcerated parents, and

caretakers, or that consideration be given to placing the visitation centers in close proximity to Work Furlough program sites in the community to be more accessible to all participants.

Moreover, PSD notes that socialization and parenting skills training for incarcerated parents, which is already offered by the Department, could be further augmented to better prepare the parents to participate in the visitation program. The Department would welcome additional dedicated resources for this enhancement.

Should the resolution be adopted, PSD looks forward to collaborating with the DHS Child Welfare Services Division (DHS-CWS), the Keiki Caucus's Family Reunification Working Group, and other entities to develop a plan to establish family-friendly visitation centers to promote the well-being of children of incarcerated parents and to facilitate a sound and effective family reunification process that ensures that Court-ordered visits, special visits, and parenting support services are provided to incarcerated parents.

Thank you for the opportunity to present this testimony.

COMMUNITY ALLIANCE ON PRISONS

P.O. Box 37158, Honolulu, HI 96837-0158

Phone/E-Mail: (808) 927-1214 / kat.caphi@gmail.com



COMMITTEE ON JUDICIARY

Rep. Chris Kalani Lee, Chair

Rep. Joy SanBuenaventura, Vice Chair

Wednesday, April 3, 2019

2:00 pm

Room 325

SUPPORT for HCR 205 – DEVELOPING A PLAN FOR VISITATION CENTERS

Aloha Chair Lee, Vice Chair SanBuenaventura and Committee Members!

My name is Kat Brady and I am the Coordinator of Community Alliance on Prisons, a community initiative promoting smart justice policies in Hawai'i for more than two decades. This testimony is respectfully offered on behalf of the families of **ASHLEY GREY, DAISY KASITATI, JOEY O'MALLEY, JESSICA FORTSON AND ALL THE PEOPLE WHO HAVE DIED UNDER THE "CARE AND CUSTODY" OF THE STATE** as well as the approximately 5,400 Hawai'i individuals living behind bars or under the "care and custody" of the Department of Public Safety on any given day. We are always mindful that more than 1,600 of Hawai'i's imprisoned people are serving their sentences abroad thousands of miles away from their loved ones, their homes and, for the disproportionate number of incarcerated Kanaka Maoli, far, far from their ancestral lands.

HCR 205 requests the department of human services, in consultation with the department of public safety, to work with the Family Reunification Working Group and other stakeholders to develop a plan to establish visitation centers at all state correctional facilities and jails.

THE RESEARCH:

The Effects of Prison Visitation on Offender Recidivism

https://mn.gov/doc/assets/11-11MNPrisonVisitationStudy_tcm1089-272781.pdf

Minnesota Department of Corrections (St. Paul, MN) 2011

Visitation has a significant effect on recidivism. "Any visit reduced the risk of recidivism by 13 percent for felony reconvictions and 25 percent for technical violation revocations, which reflects the fact that visitation generally had a greater impact on revocations. The findings further showed that more frequent and recent visits were associated with a decreased risk of recidivism" (p. 27).

Inmate Social Ties and the Transition to Society Does *Visitation Reduce Recidivism?*

<http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.865.9780&rep=rep1&type=pdf>

William D. Bales, Daniel P. Mears - Florida State University

...Consonant with the few extant empirical studies of the topic (e.g., Adams and Fischer 1976; Holt and Miller 1972; Ohlin 1951), any visitation and more frequent visitation were both associated with a lower likelihood of recidivism. Additional, more nuanced analyses conveyed similar findings, such as the notion that visitation over many different months exerts a greater effect than visits over fewer months. Visitation was also associated with delaying the onset, or timing, of recidivism.

Blessed Be the Social Tie That Binds: The Effects of Prison Visitation on Offender Recidivism

<https://doi.org/10.1177/0887403411429724> - Grant Duwe1 and Valerie Clark, December 2011.

...we found that visitation significantly decreased the risk of recidivism, a result that was robust across all of the Cox regression models that were estimated. The results also showed that visits from siblings, in-laws, fathers, and clergy were the most beneficial in reducing the risk of recidivism, whereas visits from ex-spouses significantly increased the risk. The findings suggest that revising prison visitation policies to make them more “visitor friendly” could yield public safety benefits by helping offenders establish a continuum of social support from prison to the community.

The data and research show that keeping families connected reduces recidivism. Let’s stop the intergenerational incarceration in Hawai`i noted by the Department of Justice when they came here in 1998. Of the eight jurisdictions they visited, they found that Hawai`i had more intergenerational incarceration than any other jurisdiction.

WE CAN DO THIS! The community stands ready to help.

Community Alliance on Prisons urges the committees to pass this measure.

Mahalo for the opportunity to share our research and to testify!

Testimony on HCR 205 Requesting the Department of Human Services, in consultation with the Department of Public Safety, to work with the Family Reunification Working Group and other community stakeholders to develop a plan to establish visitation centers at all state operated correctional centers⁵ before the House Committee on Judiciary

April 3, 2019

2:00 pm

Conference Rm. 325

Aloha Chair Lee, Vice Chair Sanbuenaventura, and members of the House Committees on Judiciary, **my name is Stephen Morse. I am the Executive Director of Blueprint for Change (BFC) and am here today to support HCR 205** Requesting the Department of Human Services, in consultation with the Department of Public Safety, to work with the Family Reunification Working Group and other community stakeholders to develop a plan to establish visitation centers at all state operated correctional centers

Members, for the record, BFC is the fiscal, technical, and administrative support entity for seven Neighborhood Place centers statewide that provide support and strengthening services to families at risk of child abuse and neglect under a POS contract with the Department of Human Services. Historically, our work has focused on traditional risk factors for child abuse, including homelessness or unstable housing, unemployment and low incomes, substance abuse, chronic health problems, and physical disabilities. However, in 2014, after much research and analysis, BFC determined that one of the most severe risk factors for child neglect in the families we serve is that there is at least one parent who is incarcerated.

An estimated 2.7 million children nationwide have at least one parent that is incarcerated, and studies conducted by the National Fatherhood Initiative show that in terms of negative impacts on children, incarceration may be worse than the death of a parent or the divorce of parents. Even more disheartening is the evidence that children of incarcerated parents are more likely to become incarcerated themselves as teenagers or adults, thus continuing the “cycle of incarceration” that sadly becomes generational in some families.

Because of these alarming statistics, BFC, in January 2014, helped organize and convene a working group to explore the issues surrounding children and families impacted by parental incarceration and to come up with solutions. Called the Family Reunification Working Group (FRWG), the group is comprised of representatives from several child and family serving organizations and service providers. Besides ourselves, it includes, Hawaii Prisoners Resource Center, dba Holomua Center, the Office of Hawaiian Affairs, ALU LIKE, Inc., Lili`uokalani Trust, Keiki O Ka Aina, Family Programs Hawaii, Adult Friends for Youth, Community Alliance on Prisons, the Ka Hale Ho`ola No Na Wahine Program at the Fernhurst YWCA, Hawaii Technology Institute, Grandparents Raising Grandchildren, Pacific Alliance to Stop Slavery, Makana O Ke Akua Clean and Sober Living, Holomua Pu`uhonua, and the University of Hawai`i Center on the Family. It also includes parents of children who have been affected by incarceration, adults who were former children of incarcerated parents, ex-offenders, and Native Hawaiian cultural practitioners. The group established two immediate priorities to work on, one of which was to develop a database of children in Hawaii impacted by incarceration. During the 2015 State Legislature, the group was successful in getting a measure passed and signed into law (Act 16, SLH 2015) that requires the Hawaii Department of Public Safety's Corrections Division to collect data at the point of intake on the number of minor children under the age of 18 that offenders entering the Hawaii corrections system have.

We now have three years of data collected from Public Safety, and although there remains some reliability issues relating to the collection, a problem we are working with Public Safety on to fix, we feel safe in saying two things: (1) of the inmates being processed through intake during this period of time, at least 30% identified themselves as parents; and (2) approximately 4,000 children under the age of 18 are annually affected by parental incarceration. Again, this is based only on the intake data and does not include the number of minor children of parents who have been in the correctional system for several years.

This resolution is important because we believe it will help the State improve its visitation programs at state correctional facilities. The prison environment can be frightening and traumatizing for children,

Visits can include long waits, body frisks, rude treatment, and exposure to crowded visiting rooms with no activities for children. Such conditions do not encourage frequent visits between incarcerated parents and their children and yet, findings from studies suggest the maintenance of family ties and parent-child relationships is linked to post-release success, lower rates of recidivism, and fewer parole violations. They also studies suggest that the alarming rates of intergenerational incarceration may be attributed to the lack of communication and maintenance of child-incarcerated parent relationships.

Visitation Centers can help reduce these adverse childhood experiences and keep families together. This resolution is important to not only help keep families together but for creating a more therapeutic healing system in correctional facilities. It looks at visitation centers through a social services lens, a place where children and significant other family members can remain unified with the offender and where professional social workers can identify and focus strengthening services on children at risk of being part of the cycle of incarceration. This is why it is important that the working group created by this resolution includes representation from the Department of Human Services and community-based social service providers, in addition to the Department of Public Safety.

Mahalo for allowing us to share this testimony with the Committee.

HCR-205

Submitted on: 4/2/2019 11:18:09 AM

Testimony for JUD on 4/3/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	O`ahu County Democrats Legislative Priorities Committee	Support	No

Comments:

S. Kukunaokalā Yoshimoto

TO: House Committee on Judiciary

RE: HCR205

POSITION: **STRONG SUPPORT**

LATE

April 3, 2019

Chair Lee, Vice Chair Buenaventura, and members of the committee:

Blueprint for Change is a non-profit organization with a strong track record for innovating and implementing effective support services that address the unique challenges facing Hawai'i's 'ohana. The organization's roots date back to 1994 when in response to a growingly overburdened Child Welfare System, the Hawai'i State Legislature created the Child Welfare Services Reform Task Force for the purpose of developing a "Blueprint for reform in child protective services."

After several years of rigorous evaluation, the Committee finalized the core elements of the Neighborhood Place model, and in 2000, Blueprint for Change (BFC) was formed and incorporated as a nonprofit organization to serve as the Department of Human Services, master contractor for Neighborhood Place services and to continue the Committee's effort to improve the responsiveness of the State of Hawai'i – Child Welfare System.

By maintaining fluid relationships between state agencies, local service providers and community advocates, Blueprint for Change and the Neighborhood Place Partnership is able to significantly improve the responsiveness of the state's Child Welfare System while reducing instances of child abuse and neglect.

As part of the oversight of the (7) NP across the state, BFC collects Quarterly Activity Reports (QAR), which is designed to inform services, procedures, and practices moving forward. In 2013 the QAR were showing a significant increase in services delivered to families impacted by incarceration. This led BFC to exploring this issue further. Thus, the creation of the Family Reunification Working Group (FRWG). The FRWG gained support and interest through the Legislative Keiki Caucus, and began meeting regularly to explore and advocate for solutions to problems encountered by children and families in the State who are affected by incarceration.

The following are reasons for STRONG SUPPORT OF HCR205:

- Family friendly visitation centers will encourage families to stay in frequent contact with their significant others who are incarcerated;
- National data shows that incarcerated individuals who maintain regular contact with their children and families are less likely to recidivate when they reenter society;
- Having the visitation centers staffed by social service professionals will provide families with opportunities to receive information and referral and resource linkage services, guidance and counseling, wrap around services to address issues relating to poverty, etc;
- Visitation centers could also be staffed with kupuna and Hawaiian cultural practitioners who could provide Native Hawaiian families with more relevant cultural counseling and problem-solving practices;
- The bill provides an opportunity to begin breaking the cycle of incarceration that is generational in some families;
- The bill provides all stakeholders with the opportunity to begin the conversation about how we break the cycle of incarceration and not only help families sustain themselves but also save the State millions of dollars in the future by reducing our prison population and welfare costs; and
- The State of California has successfully operated visitation centers like those being proposed by the bill for over thirty years. These centers are operated by a non-profit, social service organization called, Friends Outside.

I strongly urge the committee to pass HCR205. Mahalo a nui loa for the opportunity to testify.

April 3, 2019

To: Rep. Chris Lee, Chair
Rep. Joy A. San Buenaventura, Vice Chair
House Committee on Judiciary

From: Laura Nevitt, Director of Public Policy
Hawaii Children's Action Network

Re: **HCR205— REQUESTING THE DEPARTMENT OF HUMAN SERVICES, IN CONSULTATION WITH THE DEPARTMENT OF PUBLIC SAFETY, TO WORK WITH THE FAMILY REUNIFICATION WORKING GROUP AND OTHER COMMUNITY STAKEHOLDERS TO DEVELOP A PLAN TO ESTABLISH VISITATION CENTERS AT ALL STATE CORRECTIONAL FACILITIES AND JAILS.**

Hawaii State Capitol, Room 325 , April 3, 2019, 2:00 PM

LATE

HCAN is committed to improving lives and being a strong voice advocating for Hawai'i's children. We write in SUPPORT of HCR205

Children of incarcerated parents experience grief and loss, similar to the experience of divorce or the death of a parent. Studies show that children of incarcerated parents are at increased risk of abuse or neglect, and more likely to have mental problems, and difficulty in school. Children of incarcerated parents are seven times more likely to enter the juvenile or adult correctional systems themselves. Regular visitation provides opportunities to sustain the parent-child bond while a parent is incarcerated, which can alleviate many of these problems.

Prisoners who have regular contact with their children benefit as well. They are less likely to violate prison rules and create trouble for prison authorities. They are more likely to take advantage of rehabilitation and educational opportunities while in prison. Regular contact with children increases the chances of successful reintegration into the community when a parent is released from prison.

For these reasons, HCAN asks the committee to pass HCR205.

HCAN is committed to building a unified voice advocating for Hawaii's children by improving their safety, health, and education.



LATE

Committees: Committee on Judiciary
Hearing Date/Time: Wednesday, April 3rd, 2019, 2:00 p.m.
Place: Conference Room 325
Re: Testimony of the ACLU of Hawai'i in Support of H.C.R. 205

Dear Chair Lee, Vice Chair San Buenaventura, and members of the Committee:

The American Civil Liberties Union of Hawai'i writes in **support** of H.C.R. 205 which would request the Department of Human Services, in consultation with the Department of Public Safety, to work with the Family Reunification Group and other community stakeholders to develop a plan to establish visitation centers at all state correctional facilities.

Recognizing the benefits of parent-child visiting and improving their current environments to be more family-friendly and provide greater opportunities for visiting is a part of a better and improved vision for corrections. Imprisonment is not one-dimensional as thousands of families are victims of mass incarceration.

Research shows that visits and maintaining family ties are among the best ways to reduce recidivism¹. In this re-imagined era of corrections where we all want better outcomes, the most productive way to create positive change is to bring community groups and government entities together in collaboration.

The HCR 85 Task Force report on prison reform states, "While incarcerated, every inmate should be provided with the resources and opportunity to build and maintain family relationships, thereby strengthening the support system available to them upon release." We agree which is why ACLU of Hawai'i supports H.C.R. 205.

Thank you for your time and the opportunity to testify.

Sincerely,

Monica Espitia
Smart Justice Campaign Director
ACLU of Hawai'i

The mission of the ACLU of Hawai'i is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawai'i fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawai'i is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawai'i has been serving Hawai'i for 50 years.

¹ Separation by Bars and Miles: Visitation in State Prison, Prison Policy Initiative, October 20, 2015.
<https://www.prisonpolicy.org/reports/prisonvisits.html>